

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

JESSE SUARES,

Petitioner,

v.

JOHN SOTO,

Respondent.

CASE NO. 2:15-CV-04281-MWF (SK)

**JUDGMENT**

Pursuant to the Court's Order Accepting the Findings and Recommendations of the United States Magistrate Judge, **IT IS ADJUDGED** that the Petition is conditionally granted in part. A conditional writ of habeas corpus shall issue requiring Respondent to release and discharge Petitioner from his sentence imposed by the Los Angeles County Superior Court in case number BA347720 unless, within 90 days of the entry of Judgment, Petitioner is brought before the trial court for a resentencing hearing in accordance with the Court's Order and consistent with the findings and conclusions in the Report and Recommendation.

DATED: November 1, 2016

  
MICHAEL W. FITZGERALD  
U.S. DISTRICT JUDGE